Changes to Special Uses Permitted in each Zoning District (Ordinance #1.100)

Adopted by motion of the Kinross Charter Township Board November 3, 2014.

Michigan law no longer allows restriction upon where someone can quarry. The Planning Commission and Township Board have made changes to the special uses allowed in each zoning district to comply with this change in state law as well as correcting errors in previous special uses listed.

These changes become effective upon publication of this notice.

Section 3.19 Supplemental Site Development Requirements

Item 7 Soil, Sand, Clay, Gravel, Stone or Similar Materials: Removal, Filling

**note the words: "only in the Agricultural and Forest Recreation Districts" to be deleted from the final sentence which will now read: "These activities shall be permitted by special approval and shall follow the requirements of the Kinross Charter Township Quarrying Ordinance."

ARTICLE V SINGLE FAMILY RESIDENTIAL DISTRICT (R-1)

Section 5.02 Permitted Uses and Structures

1. Detached single-family dwellings: no change
2. Farms, farm dwellings and farm buildings, including roadside stands and signs not to exceed twelve (12) square feet in area advertising the sale of farm products: no change
3. Public parks, recreation areas and playgrounds, with customary service buildings and structures: no change
4. Community clubs, fraternal lodges and similar civic or social organizations when not operated for profit: no change
5. Planned Unit Developments subject to the provisions of **Section 17.01**: added
6. Home occupations subject to the provisions of **Section 3.13**: moved from Special Use
7. Bed and breakfast facilities subject to the provisions of **Section 3.26**: moved from Special Use
8. Churches and other places of worship: moved from Special Use
9. Publicly owned buildings: moved from Special Use
10. Public utility buildings, telephone exchanges and substations without service or storage yards: moved from Special Use
11. Accessory uses, buildings and structures customarily incidental to the permitted uses: number change only
12. On parcels exceeding five (5) acres in size, one additional single-family dwelling on the same parcel may be erected, following the requirements of this district, and provided adequate yard area is provided should a lot split occur in the future: number change only

Section 5.03 Uses Subject to Special Approval

1. Schools – preschool and K – 12: number change only
2. Privately owned country clubs, golf courses and similar recreational facilities: number change only
3. Quarries – gravel or sand pits: added
4. Accessory uses, buildings and structures customarily incidental to the above special approval uses: number change only

ARTICLE VI MIXED RESIDENTIAL DISTRICT (R-2)

Section 6.01 Intent

The intent of the R-2 District is to provide for the widest variety of housing types in a single district. (the words: "to provide for lodging and rooming houses under specific capacities and to serve the needs of the Township for apartments, townhouses, and group housing of similar character and destiny" were eliminated)

Section 6.02 Permitted Uses and Structures

1. Single-family dwellings: no change
2. Two-family dwellings: no change
3. Multiple-family dwellings: no change
4. Public parks: no change
5. Manufactured housing developments or mobile home parks: no change
6. Home occupations subject to the provisions of **Section 3.13**: moved from Special Use
7. Bed and breakfast facilities subject to the provisions of **Section 3.26**: moved from Special Use
8. Planned Unit Developments subject to the provisions of **Section 17.01**: moved from Special Use
9. Churches and other places of worship and facilities customarily incidental thereto, but not including tents and other temporary structures: moved from Special Use
10. Schools – preschool and K – 12: moved from Special Use
11. Accessory uses, buildings and structures customarily incidental to the above special approval uses: number change only

Section 6.03 Uses Subject to Special Approval

1. Publicly owned buildings: no change
2. Boarding and rooming houses: number change only
3. Quarries – gravel or sand pits: added
4. Campgrounds/recreational vehicle park: moved from Commercial (C)
5. Accessory uses, buildings and structures customarily incidental to the above special approval uses: number change only

ARTICLE VII AGRICULTURAL DISTRICT (A)

Section 7.02 Permitted Uses and Structures

No change to listed items 1 – 12

13. Commercial riding stables and academies: moved from Special Use
14. Fur bearing animals, raising of: moved from Special Use
15. Accessory uses, buildings and structures incidental to any of the above permitted uses: number change only
16. On parcels exceeding five (5) acres in size, one additional single-family dwelling on the same parcel may be erected, following the requirements of the R-1 District, and provided adequate yard area is provided should a lot split occur in the future: number change only
17. A single-family dwelling may be erected on a parcel of land of less than five (5) acres provided that said dwelling shall be erected under the requirements of Single-Family Residential District (R-1): number change only

Section 7.03 Uses Subject to Special Approval

1. Airfields and airports: no change
2. Animal sales yards: number change only
3. Communications and electrical transmission towers and lines: number change only
4. Cemeteries, including columbarium, mausoleums and crematories: number change only
5. Circus and carnival lots: number change only
6. Radio – TV stations, studios: number change only
7. Rifle ranges: number change only
8. Sawmills, when the use exceeds one (1) year: number change only
9. Commercial kennels and veterinary hospitals: number change only
10. Quarries – gravel or sand pits: added
11. Accessory uses, buildings and structures customarily incidental to the above special approval uses: number change only

ARTICLE VIII FOREST RECREATIONAL DISTRICT (FR)

Section 8.01 Intent

This district is intended to promote the proper use, enjoyment and conservation of the water, land, topographic and natural resources of the Township particularly adapted in general to recreational and forest issues, whether privately or publicly owned: words "whether privately or publicly owned" added.

Section 8.02 Permitted Uses and Structures

1. Single-family dwellings following the requirements of the R-1 District: no change
2. On parcels exceeding five (5) acres in size, one additional single-family dwelling on the same parcel may be erected, following the requirements of the R-1 District, and provided adequate yard area is provided should a lot split occur in the future: no change
3. Legal harvesting of forestry products and native crops: no change
4. Seasonal hunting and recreational cabins or cottages not meeting the minimum floor requirements for single-family dwellings: [the following words were eliminated: "provided such building is for personal use and that it is accessible to an improved public road or the applicant agrees to provide and maintain a private road at his own expense"]
5. Accessory uses, buildings and structures customarily incidental to the above permitted uses: no change

Section 8.03 Uses Subject to Special Approval

1. Forest products processing and sales: no change
2. Gun or archery clubs: no change
3. Commercial hunting resorts or clubs, recreation camps, recreation lodges or cabin camps: no change
4. Quarries - gravel or sand pits: formerly listed as Quarrying of soil, sand, clay, gravel or similar material
5. Commercial riding academies or stables: no change
6. Accessory uses, buildings and structures customarily incidental to the above special approval uses: no change

ARTICLE IX INSTITUTIONAL DISTRICT (Inst.)

Section 9.02 Permitted Uses and Structures

1. Correctional facilities: no change
2. Hospitals, nursing homes, medical care facilities: words "and similar uses" deleted
3. Accessory uses, buildings and structures customarily incidental to the above permitted uses: no change

Section 9.03 Uses Subject to Special Approval

1. Any other institutional uses not provided for under **Section 9.02** Permitted Uses: no change
2. Quarries – gravel or sand pits: added
3. Accessory uses, buildings and structures customarily incidental to the above special approved uses: number change only

ARTICLE X RECREATIONAL-COMMERCIAL (Rec.Com.)

Section 10.02 Permitted Uses and Structures

1. Golf courses and related uses, such as club house, restaurant, and other accessory uses and structures: no change
2. Fairgrounds and race tracks: no change
3. Museums: no change
4. Accessory uses, buildings and structures customarily incidental to the above permitted uses: no change

Section 10.03 Uses Subject to Special Approval

1. Any other recreational use not provided for under **Section 10.02** Permitted Uses: no change
2. Quarries – gravel or sand pits: added
3. Accessory uses, buildings and structures customarily incidental to the above special approval uses: number change only

ARTICLE XI RESIDENTIAL-COMMERCIAL DISTRICT (Res. Com.)

Section 11.02 Permitted Uses and Structures

1. Single-family dwellings: no change
2. Two-family dwellings: no change
3. Retail sales: no change
4. Personal services businesses: no change
5. Restaurants and bars: the words "without drive through service" were eliminated
6. Churches and other places of worship: no change
7. Community facilities: no change
8. Campgrounds/recreational vehicle park: added
9. Accessory uses, buildings and structures customarily incidental to the above permitted uses: number change only

Section 11.03 Uses Subject to Special Approval

1. Multiple-family dwellings: no change
2. Quarries – gravel or sand pits: added
3. Accessory uses, buildings and structures customarily incidental to the above special approval uses: no change

ARTICLE XII COMMERCIAL DISTRICT (C)

Section 12.02 Permitted Uses:: No changes to the 36 listed items

Section 12.03 Uses Subject to Special Approval

1. Automotive sales and service, including body repair: no change
2. Boat sales and services: no change
3. Building material sales: no change
4. Farm machinery sales and services: number change only
5. Laundromats: number change only
6. Manufactured & mobile home & travel trailer – sales and service: number change only
7. Service stations: number change only
8. Snowmobile sales and service: number change only
9. Quarrying – gravel or sand pits: added
10. The manufacture, compounding, processing, assembling, packaging or treatment including such products, but not limited to: bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food products, hardware and cutlery, pottery, musical instruments, toys, novelties, household and electronic appliances, tool, die, gauge and machine shops: number change only
11. Accessory uses, buildings and structures customarily incidental to the above special approval uses: number change only

ARTICLE XIII AVIATION DISTRICT (Av.)

Section 13.02 Permitted Uses: no changes to the 8 listed Permitted Uses

Section 13.03 Uses Subject to Special Approval

1. Any other aviation related uses not provided for under **Section 13.02** Permitted Uses: no change
2. Quarrying – gravel or sand pits: added
3. Accessory uses, buildings and structures customarily incidental to the above special approval uses: number change only

ARTICLE XIV LIGHT INDUSTRIAL DISTRICT (I-1)

Section 14.02 Permitted Uses: no changes to the 10 listed Permitted Uses

Section 14.03 Uses Subject to Special Approval

1. Junkyards: no changes
2. Gas and oil bulk storage and distribution facilities: processing has been moved to Heavy Industrial (I-2)
3. Petroleum and other flammable liquid storage and distribution tanks when no closer than three hundred (300) feet from any residential district and one hundred (100) feet from any other district: processing has been moved to Heavy Industrial (I-2)
4. Bulk laundries and dry cleaning establishments: bulk provisions moved from Commercial (C)
5. Manufacture of mobile home and travel trailers: manufacturing moved from Commercial (C)
6. Metal plating, buffing, polishing, painting, varnishing and undercoating shops when setback at least seventy-five (75) feet from any adjacent residential district and when conducted within a completely enclosed building: number change only
7. Quarrying – gravel or sand pits: added
8. Accessory uses, buildings and structures customarily incidental to the above special approval uses: number change only

Section 14.04 Performance Standards

1. **Polluting Materials**: It shall be unlawful for any person, firm or corporation to permit the emission or discharge of any gases, smoke, dust, dirt or fly ash into the atmosphere in quantities sufficient to create a nuisance within the Township. No use shall discharge polluting solids or fluids into the groundwater, surface water, or municipal water supply: words "or municipal water supply" added

ARTICLE XV HEAVY INDUSTRIAL DISTRICT (I-2)

Section 15.02 Permitted Uses: no changes to the 2 listed Permitted Uses

Section 15.03 Uses Subject to Special Approval: added

1. Processing of gas, oil, petroleum and other flammable liquids: processing moved from Light Industrial (I-1)
2. Quarrying – gravel or sand pits: added
3. Accessory uses, buildings and structures customarily incidental to the above special approval uses: added